

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, INC.'S)	
REQUEST FOR CONFIDENTIAL TREATMENT)	
OF INFORMATION FILED IN SUPPORT OF ITS)	CASE NO. 96-472
PROPOSED RESIDENCE ADDITIONAL LINE)	
PROMOTION)	

O R D E R

This matter arising upon petition of BellSouth Telecommunications, Inc. ("BellSouth"), filed October 1, 1996, pursuant to 807 KAR 5:001, Section 7, for confidential protection of the revenue and cost support data developed in connection with its proposed Residence Additional Line Promotion, on the grounds that disclosure of the information is likely to cause BellSouth competitive injury, and it appearing to this Commission as follows:

BellSouth is seeking approval of a planned Residence Additional Line Promotion during the months of November and December 1996. The promotion is intended for both regular residence and ISDN Individual Residence lines. Customers ordering the additional line will receive a one time credit of \$18.00 which will be applied to their bill. In support of the promotion, BellSouth has filed revenue and cost data which it seeks to protect as confidential.

The information sought to be protected is not known outside of BellSouth and is not disseminated within BellSouth except to those employees who have a legitimate business need to know and act upon the information. BellSouth seeks to preserve and protect the

confidentiality of the information through all appropriate means including the maintenance of appropriate security at its offices.

KRS 61.872(1) requires information filed with the Commission to be available for public inspection unless specifically exempted by statute. Exemptions from this requirement are provided in KRS 61.878(1). That subsection of the statute exempts several categories of information. One category exempted in paragraph (c)1 of that subsection is commercial information confidentially disclosed to the Commission which if made public would permit an unfair commercial advantage to competitors of the party from whom the information was obtained. To qualify for the exemption, the party claiming confidentiality must demonstrate actual competition and a likelihood of substantial competitive injury if the information is disclosed. Competitive injury occurs when disclosure of the information gives competitors an unfair business advantage.

The Additional Line service being promoted is part of the Residential Basic Exchange Service offered by BellSouth as a local exchange carrier. Its competitors include other telecommunications companies that are seeking to enter the local exchange market. Disclosure of the information sought to be protected would enable such competitors to determine BellSouth's cost and contribution from the service which they could use in marketing a competitive service to the detriment of BellSouth. Therefore, disclosure of the information is likely to cause BellSouth competitive injury and the information should be protected as confidential.

This Commission being otherwise sufficiently advised,

IT IS ORDERED that the revenue and cost support data developed in connection with BellSouth's Residence Additional Line Promotion, which BellSouth has petitioned to

be withheld from public disclosure, shall be held and retained by this Commission as confidential and shall not be open for public inspection.

Done at Frankfort, Kentucky, this 7th day of November, 1996.

PUBLIC SERVICE COMMISSION

Linda K. Brathott
Chairman

Earl J. Hosen
Vice Chairman

B. J. Helton
Commissioner

ATTEST:

Don Mills
Executive Director